



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,217	08/10/2000	Takayuki Tamura	566.38877X00	6505

20457 7590 02/23/2004

ANTONELLI, TERRY, STOUT & KRAUS, LLP  
1300 NORTH SEVENTEENTH STREET  
SUITE 1800  
ARLINGTON, VA 22209-9889

EXAMINER

BATAILLE, PIERRE MICHE

ART UNIT	PAPER NUMBER
----------	--------------

2186

DATE MAILED: 02/23/2004

21

Please find below and/or attached an Office communication concerning this application or proceeding.

22

## Office Action Summary

Application No.

09/635,217

Applicant(s)

TAMURA ET AL.

Examiner

Pierre-Michel Bataille

Art Unit

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 3-5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6 8-10 and 13-17 is/are rejected.
- 7) ☒ Claim(s) 2, 7, 11, 18 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office Action is responsive to Applicant's communication filed January 20, 2004 in response to Final Office Action dated June 20, 2003 and Advisory Action dated November 5, 2003. Applicant's arguments and/or amendments have been considered with the results that follow.

2. Claims 2 and 6-18 are now pending in the application under examination as claims 1 and 3-5 were cancelled and claims 17-18 were newly added.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 6-18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6, 8-10 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,867,655 (DeRoo et al) in view of US 6,281,894 (Rive).

With respect to claim 17, DeRoo teaches an external storage device connectable to a host computer comprising: an Electrically Erasable Programmable Read Only Memory (EEPROM) connectable to central processing unit (CPU) [Col. 10, Lines 33-39], and system control processor (SCP) being a peripheral processor that controls systems management [Fig. 2], wherein the memory is divided into a plurality of predetermined amount of storage spaces defining predetermined address ranges) wherein predetermined address range storing non-protected or user data accessible by the CPU and predetermined address range for storing predetermined program instructions (or critical data) for the system control processor (SCP) are accessed through different sets of commands [Col. 10, Line 46 to Col. 10, Line 26; Col. 25, Lines 44-54; abstract; Col. 3, Lines 25-40]. DeRoo fails to specify determining whether a command from the central processing unit is a first command for accessing the first address range or the second command for accessing the second range. However, Rive suggests configuring a non-volatile storage device defining multiple partitions wherein each partition supporting respective operating environment [Col. 3, Lines 23-35; Col. 5, Lines 64-67]. Therefore, it would have been obvious to one having ordinary skill in the art to determine whether a command accesses a first address range or a second command accesses a second address partition, as taught by Rive, in combination with the system of DeRoo because the result would have controlled access restrictions to particular section of the storage device, as taught by Rise [Col. 6, Lines 36-39].

With respect to claims 6 and 8, DeRoo teaches the feature recognizing the kind of host computer (CPU or SPC) and performing access control according to the kind of host computer [Col. 83, Lines 55 to Col. 84, line 20] and protected area of the non-volatile memory is password protected where a 1 provides password protection and a 0 provides non password protection [Col. 51, Lines 28-34; Col. 75, Lines 55-60] and performing authentication through an authentication procedure for accessing the protected area [Col. 87, Lines 1-8, Lines 50-64].

With respect to claims 9, DeRoo teaches the plural areas comprising a user area for storing user data and a management area for storing management data, the user data comprising normal area and protected area [Col. 86, Lines 61-67; Col. 91, Line 66 to Col. 92, Line 14].

With respect to claims 10 and 13-16, DeRoo teaches commands accessing normal areas and commands different from the first set of commands accessing protected area [Col. 83, Line 12-20] and accessing the protected area requiring successful authentication by comparing a password [Col. 87, Lines 1-8, Lines 50-64] and protection of the critical area to be turned off [Col. 92, Lines 15-20].

***Allowable Subject Matter***

6. Claims 2, 7, 11-12, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

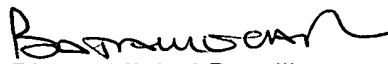
**Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Michel Bataille whose telephone number is (703) 305-0134. The examiner can normally be reached on Tue-Fri (7:30A to 6:00P).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew M. Kim can be reached on (703) 305-3821. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Pierre-Michel Bataille  
Primary Examiner  
Art Unit 2186

February 13, 2004.

**PIERRE BATAILLE  
PRIMARY EXAMINER**